

APPEAL OF CLASSIFICATION ACTION

Institution: \_\_\_\_\_ Date: \_\_\_\_\_

Prisoner Name: \_\_\_\_\_ Number: \_\_\_\_\_

ACTION BEING APPEALED: \_\_\_\_\_ Appeal Due Date: \_\_\_\_\_

- Initial Classification                       Reclassification                       Administrative Transfer
- Designation                                       Designation

- Furlough     Other: \_\_\_\_\_
- (enter what is being appealed)

Appeal Received By: \_\_\_\_\_ Date/Time: \_\_\_\_\_

The institutional probation officer may be contacted for an explanation of how to complete this form and/or the appeal procedures in accordance with P&P 700.01 (Prisoner Classification). The appeal MUST be submitted through the institutional staff member designated to received classification appeals: \_\_\_\_\_

**APPEAL STATEMENT:** (if more space is needed use back of this sheet or use additional paper)

\_\_\_\_\_  
Prisoner's Signature (prisoner MUST sign appeal statement here)

\_\_\_\_\_  
Date

**DECISION ON APPEAL:**

\_\_\_\_\_  
Signature of Official Making Decision

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

## APPEAL OF CLASSIFICATION ACTION INSTRUCTIONS

- (a) All classification appeals shall be submitted to the institutional probation officer on the Appeal of Classification Action (form 700.01E) in accordance with policy 700.01, Prisoner Classification.
- (b) Initial Classification – The prisoner may advise the institutional probation officer of any factual errors on the Initial Classification Form or of a significant change in status that may affect a custody classification by submitting a request for interview, within three (3) working days. If that review is unsatisfactory, the prisoner may appeal to the Superintendent any factual errors or changes in status within three (3) working days. The Superintendent shall render a decision on the appeal form within five (5) working days after the appeal is submitted. The Superintendent’s decision is final.
- (c) Reclassification – The prisoner may appeal the reclassification decision to the Superintendent of the holding institution within five (5) working days of the prisoner’s receipt of the decision. This appeal is limited to the effect a reclassification has on access to rehabilitative programs and the procedures followed in the reclassification process. The Superintendent shall render a decision on the appeal form within five (5) working days after the appeal is submitted. A copy of the decision shall be provided to the prisoner within three (3) working days of the decision. The Superintendent’s decision is final; with the exception of an appeal related to “Removal From Rehabilitation and Court-Ordered Treatment Programs” pursuant to Policy & Procedure 808.04. All appeals of the superintendent’s decision will be referred to the Director of Institutions who shall make a final decision with input from the Mental Health Clinician IV (MHC IV), or, the department staff who serves as the supervisor of the program provider (s).
- (d) Short and Long Term Designation – A prisoner may appeal their designation decision to the Director of Institutions within ten (10) working days of the prisoner’s receipt of the decision. This appeal is limited to the effect a designation has on access to rehabilitative programs and the procedures followed in the designation process. The Director shall render a decision on the appeal form within fifteen (15) working days after the appeal is submitted. A copy of the decision shall be provided to the prisoner within three (3) working days of the decision. The Director’s decision is final.
- (e) Administrative Transfer – A prisoner may appeal an administrative transfer decision within five (5) working days of the prisoner’s arrival at the designated/receiving facility. This appeal is limited to the effect an administrative transfer has on access to rehabilitative programs and the procedures followed in the administrative transfer process. The appeal shall be forwarded to the Chief Classification Officer who shall render a decision on the appeal form within ten (10) working days after the appeal is submitted. The decision of the Chief Classification Officer is final.
- (f) Out-of-State Transfer – An appeal of an out-of-state transfer decision shall be submitted to the institutional probation officer within five (5) working days of the day the prisoner receives written notice of the Central Classification “Notice of Transfer” decision. This appeal is limited to the effect an out-of-state transfer has on access to rehabilitative programs and the procedures followed in the transfer process. The institutional probation officer shall forward the appeal to Central Classification who will forward it to the Director of Institutions for a response. The Director shall provide a response within fifteen (15) working days after the submission of the appeal and the response shall state that the Director’s decision is the final agency decision which may be appealed to the Alaska Superior Court within thirty (30) days.
- (g) Furlough – A prisoner may appeal a furlough denial within five (5) working days of receipt of written notice to the Deputy Commissioner of Operations. The Deputy Commissioner shall provide a response within fifteen (15) working days after the submission of the appeal in accordance with policy 818.02, Prerelease Furlough.
- (h) With the exception of an out-of-state transfer, a classification action may be commenced pending an appeal.

- (i) Failure to respond within the time limits as set out in sections b, c, d, e, f, and g is considered a denial of the appeal; however, a late response to an appeal is valid.
- (j) For purposes of appeal, a prisoner, upon request, shall have access to the recording of a related disciplinary hearing or the classification review being appealed, except that any portion of the recording which contains the testimony of an informant must be summarized in as much detail as possible while not placing the informant in danger, and the summary made available to the prisoner.